



FE 6159 (US)

TPC  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
)  
**Gianni COLLINA et al.** )  
)  
Serial No. **10/584,004** )  
)  
Filed **June 22, 2006** )  
)  
For **MAGNESIUM DICHLORIDE-** )  
**ETHANOL ADDUCTS AND** )  
**CATALYST COMPONENTS** )  
**OBTAINED THEREFROM** )

Art Unit: **1793**

Examiner: **Unknown**

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 37 CFR 1.53 TO CORRECT OFFICIAL FILING RECEIPT**

Applicant respectfully believes the Filing Receipt with a mailing date of August 15, 2008 in connection with the above-captioned application contains the following errors:

Filing or 371 (c) Date should be "06/22/2006" instead of "08/01/2008".

A copy of the Filing Receipt, marked up accordingly, is submitted herein as Attachment A.

Applicant respectfully submits the above-captioned application was filed at the USPTO with all of the 35 U.S.C. §371 requirements on **June 22, 2006**. A copy of (i) the express mailing air bill, which was mailed with the application and respective filing papers, and (ii) the duly stamped receipt acknowledgement card are submitted herein as Attachment B. Thereafter, a Notification of Missing Requirements Under 35 U.S.C. §371 was mailed on June 11, 2008, the merits of which were traversed in Applicant's reply of July 30, 2008. A copy of the response and stamped acknowledgement card is submitted herein as Attachment C.

Applicant respectfully requests the Patent Office to issue a Corrected Official Filing Receipt for the instant application.

Applicant duly authorizes the Petition fee of \$130.00 to be charged to Deposit Account

12/01/2008 EFLORES 00000031 002336 10584004

01 FC:1464

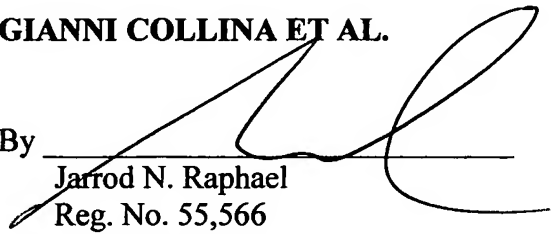
130.00 DA

No. 08-2336. However, since Applicant respectfully believes the aforementioned errors are not due to the fault of Applicant, Applicant courteously requests the Petition fee of \$130.00 to be refunded to Deposit Account No. 08-2336. The Commissioner is hereby authorized to debit or credit any payment due or any overpayment to Deposit Account No. 08-2336.

Respectfully submitted,

**GIANNI COLLINA ET AL.**

By

  
Jarrod N. Raphael  
Reg. No. 55,566  
Agent for Applicants

Basell USA Inc.  
Delaware Corporate Center II  
2 Righter Parkway, Suite 300  
Wilmington, DE 19803

November 25, 2008

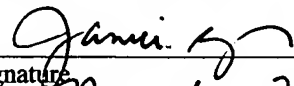
**Attachments**

Agent's Telephone No.: 302-683-8176

Agent's Facsimile No.: 302-731-6408

Agent's E-mail: [jarrod.rafael@lyondellbasell.com](mailto:jarrod.rafael@lyondellbasell.com)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 25, 2008.

  
Signature

November 25, 2008  
Date



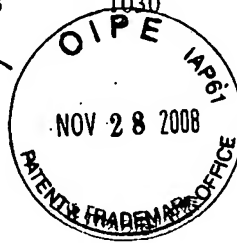
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

should be  
6/22/06

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	TOT CLAIMS	IND CLAIMS
10/584,004	<del>08/01/2008</del>	1793	1030	FE 6159 (US)	12	1

34872  
Basell USA Inc.  
Delaware Corporate Center II  
2 Righter Parkway, Suite #300  
Wilmington, DE 19803



CONFIRMATION NO. 8569  
FILING RECEIPT



Date Mailed: 08/15/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

## Applicant(s)

Gianni Collina, Ferrara, ITALY;  
Daniele Evangelisti, Ferrara, ITALY;  
Mario Sacchetti, Ferrara, ITALY;

## Assignment For Published Patent Application

Basell Poliolefine Italia s.r.l., Milan, ITALY

Power of Attorney: The patent practitioners associated with Customer Number 34872

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP2004/013371 11/24/2004  
which claims benefit of 60/534,472 01/06/2004

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03104960.4 12/23/2003

If Required, Foreign Filing License Granted: 08/13/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/584,004**

Projected Publication Date: 11/27/2008

Non-Publication Request: No

Early Publication Request: No

**Title**

Magnesium Dichloride-Ethanol Adducts and Catalyst Components Obtained Therefrom

**Preliminary Class**

502

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Attachment B



ER 935732938 US



UNITED STATES POSTAL SERVICE®

Customer Copy  
Label 11-B September 2002

Post Office To Addressee

**ORIGIN (POSTAL USE ONLY)**

PO ZIP Code <b>21420</b>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input checked="" type="checkbox"/>
Date Mo. <b>6</b> Day <b>22</b> Year <b>04</b>	<input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	Postage <b>\$ 14.40</b>
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials <b>LS</b>	Total Postage & Fees <b>\$ 14.40</b>

FROM: (PLEASE PRINT)

PHONE ( )

Jolene A Outten  
Bawell USA Inc.  
Intellectual Property  
912 Appleton Road  
Elkton MD 21921

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.com

PRESS HARD. You are making 3 copies.



**DELIVERY (POSTAL USE ONLY)**

Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	

**CUSTOMER USE ONLY**

PAYMENT BY ACCOUNT  
Express Mail Corporate Acct. No.

Federal Agency Acct. No. or  
Postal Service Acct. No.

☐ NO DELIVERY  
☐ Weekend ☐ Holiday

☐ WAIVER OF SIGNATURE (Domestic Only)  
Additional merchandise insurance is void if waiver of signature is requested.  
If wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location), and if authorize that delivery employee's signature constitutes valid proof of delivery, please print name and address of person authorizing signature.

TO: (PLEASE PRINT)

PHONE ( )

MAIL STOP PCT  
COMMISSIONER FOR PATENTS  
P O BOX 1450  
ALEXANDRIA VA

2	2	3	1	3	+	1	4	5	0
---	---	---	---	---	---	---	---	---	---

ZIP + 4



The PTO date stamp hereon is in acknowledgment that on this date PTO received:

**TRANSMITTAL LETTER**

**FORM PTO-1390 (in duplicate)**

**APPLICATION DATA SHEET (3 pages)**

**PRELIMINARY AMENDMENT (2 pages)**

**ATTACHMENT A - Claims (2 pages)**

**COPY OF PCT REQUEST INCLUDING DECLARATION (2 pages)**

**COPY OF FORM PCT/1B/306**

**COPY OF INTERNATIONAL APPLN (14 pages) consisting of Textual Spec (11 pages); 12 Claims (2 Pages) and Abstract (1 page)**

**ASSIGNMENT COVER SHEET (1 page)**

**COPY OF ASSIGNMENT (2 pages)**

**10/584004**

*62097*

**Received Basell**

**III - 6 2006**

**IP / Law**

in reference to U.S. Patent Application of Gianni Collina et al. filed this 22nd day of June 2006, entitled **MAGNESIUM DICHLORIDE-ETHANOL ADDUCTS AND CATALYST COMPONENTS OBTAINED THEREFROM**

**Att. Dkt No: FE 6159 (US)**

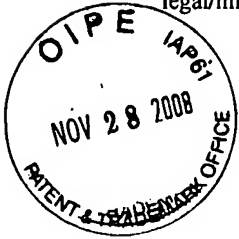
**EARLY NOTIFICATION OF SERIAL NUMBER REQUESTED**

**IAP15 Rec'd PCT/PTO 22 JUN 2006**

Attachment C

legal/misspart-FE6159

**FE 6159 (US)**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of )  
)  
**Gianni COLLINA et al.** )  
) Art Unit: **TBD**  
Serial No. **10/584,004** )  
) Examiner: **TBD**  
Filed: **June 22, 2006** )  
)  
For **MAGNESIUM DICHLORIDE-ETHANOL** )  
**ADDUCTS AND CATALYST COMPONENTS** )  
**OBTAINED THEREFROM** )

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**LETTER TRANSMITTING MISSING REQUIREMENTS UNDER 35 USC 371**

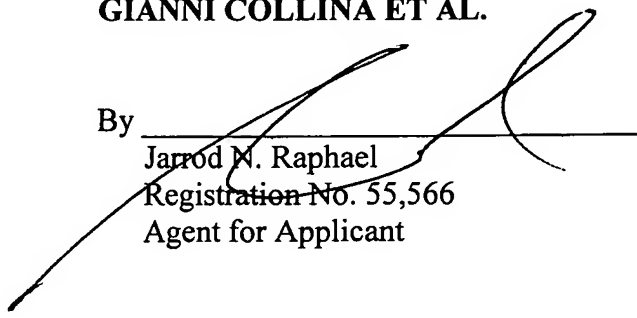
In reference to the Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office, mailed June 11, 2008, and the statement that the Oath or Declaration does not comply with 37 CFR 1.497(a) and (b) in that it is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68, please note the papers filed for this application on June 22, 2006, included a copy of the PCT Request, which included the completed Declaration in Box No. VIII (iv) as well as the signature of the inventors named in Box No. X. Furthermore, the identification of the International application number and filing date were indicated on page 1 of the PCT Request form. We enclose a copy of the PCT Request filed on June 22, 2006, herein.

Accordingly, no fee under 37 CFR 1.492(h) is believed to be due with this response given Applicant previously filed a Declaration with the PCT Request. However, if a fee is due with respect to this Letter Transmitting Missing Requirements, please charge Deposit Account No. 08-2336.

Respectfully submitted,

**GIANNI COLLINA ET AL.**

By

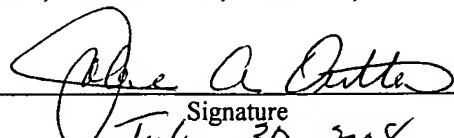
  
Jarrod N. Raphael  
Registration No. 55,566  
Agent for Applicant

Basell USA Inc.  
Delaware Corporate Center II  
2 Righter Parkway, Suite 300  
Wilmington, DE 19803

July 30, 2008

Agent's Telephone No.: 302-683-8176  
Agent's Facsimile No.: 302-731-6408  
Agent's E-mail: jarrod.rafael@lyondellbasell.com

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 30, 2008.

  
Signature  
July 30 2008  
Date

The PTO date stamp hereon is in acknowledgment that on this date PTO received:

AUG 8 2008

**TRANSMITTAL LETTER**

**LETTER TRANSMITTING MISSING REQUIRE. (in duplicate) (2 pages)**

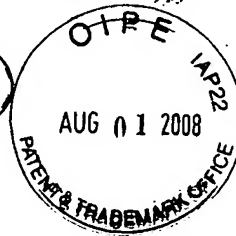
**COPY OF FORM PTO/DO/EO/905 (374 Formalities Notice) (2 pages)**

**COPY OF PCT REQUEST W/ DECLARATION (6 pages)**

**FORM PTO/SB/122 - CHANGE OF CORRESP ADDRESS (1 page)**

in reference to U.S. Patent Application of Gianni COLLINA et al., S.N.  
10/584,004, filed June 22, 2006.

Atty/Dkt No: FE 6159 (US)



**IAP04Rec'd PCT 01 AUG 2008**



FE 6159 (US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
)  
**Gianni COLLINA et al.** )  
)  
Serial No. **10/584,004** )  
)  
Filed **June 22, 2006** )  
)  
For **MAGNESIUM DICHLORIDE-** )  
**ETHANOL ADDUCTS AND** )  
**CATALYST COMPONENTS** )  
**OBTAINED THEREFROM** )

Art Unit: **1793**

Examiner: **Unknown**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

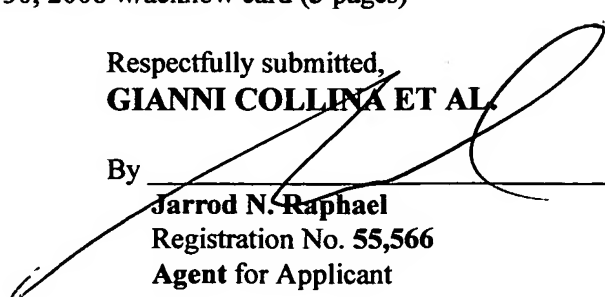
Sir:

**TRANSMITTAL LETTER**

Submitted herewith for filing in the U.S. Patent and Trademark Office are the following:

- ☒ Postcard
- ☒ Transmittal Letter
- ☒ Petition Under 37 CFR 1.53 to Correct Official Filing Receipt (2 pages)
- ☒ Attachment A - Copy of Marked-up Filing Receipt (3 pages)
- ☒ Attachment B - Copy of express mailing airbill w/acknow card (2 pages)
- ☒ Attachment C - Copy of Response of July 30, 2008 w/acknow card (3 pages)

Respectfully submitted,  
**GIANNI COLLINA ET AL.**

By   
**Jarrod N. Raphael**  
Registration No. **55,566**  
**Agent for Applicant**

Basell USA Inc.  
Delaware Corporate Center II  
2 Righter Parkway, Suite 300  
Wilmington, DE 19803  
Date: November 25, 2008